COUNTY COUNCIL

OF

TALBOT COUNTY, MARYLAND

2018 Legislative Session, Legislative Day No. : September 25, 2018

Bill No.: 1407

Expiration Date: November 29, 2018

Introduced by: Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price, Ms. Williams

A BILL TO AMEND CHAPTER 121 (PUBLIC LANDINGS) OF THE TALBOT COUNTY CODE TO DISALLOW MORE THAN ONE SLIP RENTAL PER PERSON, TO REQUIRE VESSELS DOCKED IN RENTED SLIPS TO BE IN WORKING ORDER, TO SET THE NUMBER OF ALLOWED TRANSFERS PER YEAR, AND TO REDUCE THE AMOUNT OF TIME FOR ABANDONED EQUIPMENT TO BE REMOVED

By the Council: September 25, 2018

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, October 23, 2018 at 6:30 p.m. at the Bradley Meeting Room, South Wing, Talbot County Courthouse 11 N. Washington Street, Easton, Maryland 21601.

By Order Susan W. Moran

Susan W. Moran, Secretary

A BILL TO AMEND CHAPTER 121 (PUBLIC LANDINGS) OF THE TALBOT COUNTY CODE TO DISALLOW MORE THAN ONE SLIP RENTAL PER PERSON, TO REQUIRE VESSELS DOCKED IN RENTED SLIPS TO BE IN WORKING ORDER, TO SET THE NUMBER OF ALLOWED TRANSFERS PER YEAR, AND TO REDUCE THE AMOUNT OF TIME FOR ABANDONED EQUIPMENT TO BE REMOVED

WHEREAS, Md. Code Ann. Local Government § 13-801 gives Talbot County the authority to operate public landings on any navigable waters; and

WHEREAS, the Talbot County Parks and Recreation Advisory Board has recommended changes to Chapter 121 (Public Landings) of the Talbot County Code to improve operations and enforcement at Talbot County boat landings, as detailed below; and

WHEREAS, the County Council believes that such recommendations are appropriate.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, that:

SECTION ONE: The above recitals are incorporated as if fully set forth herein;

SECTION TWO: Upon introduction of this Bill, a public hearing will be scheduled and advertised in a newspaper of general circulation in the County advising the public of the date, time, place and purpose of the public hearing for receipt and consideration of public comment;

SECTION THREE: BE IT ENACTED by the Talbot County Council, that Chapter 121 of the Talbot County Code is hereby created as set forth below:

KEY

Boldface.....Heading or defined term

Underlining.....Added to law by Bill

~~Strikethrough~~.....Deleted from law by Bill

* * * ..... Existing law unaffected

* * *

§ 121-4 Slip rentals.

A. General. The Administrator shall manage slip rentals by numbered slips, written applications, a written waiting list, and written slip rental agreements renewed annually in accordance with written rules and procedures.

B. No person or entity may rent more than one slip.

C. All vessels docked at a rented slip must be in working order, unless written permission is obtained from the Administrator.

D. Temporary slip transfer. No vessel other than one owned and registered to the slip renter may dock at the leased slip, except that use of the slip may be temporarily transferred by notification to the Administrator using prescribed forms which include the slip number, the transferor's name, address, and telephone number; the duration of the transfer including beginning and ending dates; the registration of the vessel to be docked at the slip; and the transferee's name, address, and telephone number. The form must be signed by both parties. Temporary slip transfers may not exceed 60 ~~21~~ days. Each slip renter may only temporarily transfer their slip twice per year.

* * *

§ 121-7 Obstructions.

* * *

C. Abandoned equipment. No person shall abandon any marine or other equipment at any public landing. Any such item left longer than overnight ~~five consecutive days~~ at any public landing is presumed abandoned and is subject to removal and disposal by the County. The Administrator may grant permission for temporary storage of equipment for a reasonable period of time. Absent permission, the owner or former owner of any such equipment, if known, shall be given 24 hours' notice to remove any such equipment, and upon failure to do so, the County may remove and store it at the owner's expense or dispose of it without further notice. If the owner or former owner is unknown, the Administrator shall provide notice by publication as provided in Subsection E(2).

* * *

SECTION FOUR: AND BE IT FURTHER ENACTED, that the title and a summary of this Bill shall be published once on the first publication date after enactment of the Bill in accordance with County Charter §213 (c). The title is not a substantive part of this Bill. If the Bill is amended, the title may be administratively revised if required to conform the title to the content of the Bill as finally enacted.

SECTION FIVE: AND BE IT FURTHER ENACTED, that if any provision of this Ordinance, or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application

of such Plan which can be given effect without the invalid provision or application, and for this purpose the provisions of this Bill are declared severable.

SECTION SIX: AND BE IT FURTHER ENACTED, that the Talbot County Office of Law, in consultation with and subject to the approval of the County Manager, may make non-substantive corrections to codification, style, capitalization, punctuation, grammar, spelling, and any internal or external reference or citation included in this Ordinance, as finally adopted, that are incorrect or obsolete, with no further action required by the County Council. All such corrections shall be adequately referenced and described in an editor's note following the section affected.

SECTION SEVEN: AND BE IT FURTHER ENACTED, that this ordinance shall take effect sixty (60) days from the date of its passage.

[Balance of this page intentionally left blank]

PUBLIC HEARING

Having been posted and Notice of time, date, and place of hearing, and Title of Bill No. _____having been published, a public hearing was held on at _____p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the third time.

ENACTED: _____

By Order _____
Susan W. Moran, Secretary

Williams -

Price -

Bartlett -

Pack -

Callahan -

EFFECTIVE DATE: _____